

REMARKS

Applicant expresses appreciation to the Examiner for consideration of the subject patent application. This amendment is in response to the Notice of Non-Compliant Amendment mailed March 11, 2005. Claims 19, 20 and 22-29 were rejected. Claim 21 was objected to. Claim 19 has been amended for purposes of clarity. Old claim 21 was rewritten as new independent claim 30. None of the amendments were substantial and were not made for the purpose of limitation. Claims 19-30 remain in the case. Applicant respectfully traverses the rejections for the reasons given below.

Claim Rejection - 35 U.S.C. § 102

Claims 19, 20 and 22-29 were rejected under 35 USC 102(b) as being anticipated by US Patent No. 5,224,023 (Smith). Applicant respectfully submits that the claims clearly distinguish over the Smith patent.

As described in claim 19 of the present application, a method of fabricating multiple layers of a memory device is claimed that provides a common substrate with multiple sections. Memory structures are provided on at least two sections of the substrate. The substrate is folded along a fold line to align the memory structures on adjacent folded sections so that the memory structures interact with each other to thereby form at least one operable electrical device.

Smith discloses a flexible substrate capable of having at least three sections folded on each other. The substrate is sandwiched between half-sections of each board, so that components can be mounted on both faces of each board. The multiple sections can be folded so that they are disposed in a stacked configuration and are held in place by posts extending through the boards. See column 1, line 58 through column 2, line 33.

Smith does not disclose the arrangement of memory structure on at least two sections of the substrate that, when the substrate is folded, align with each other so as to interact with each other and thereby form at least one operable electrical device. In fact, Smith does not disclose any interaction of electrical structure caused by folding the substrate boards to provide an electrical device. Accordingly, it is respectfully submitted that the Smith patent does not anticipate any of claims 19-29 of the present application.

Claim 30 is identical to claim 21, rewritten in independent form. Since the Examiner indicated that claim 21 would allowable if rewritten in independent form, it is submitted that claim 21 is now in condition for allowance.

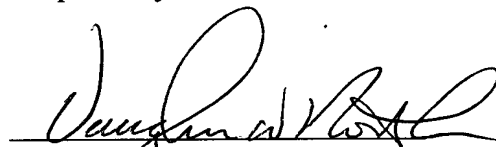
CONCLUSION

In light of the above amendment and remarks, Applicant respectfully submits that pending claims 19-30 are now in condition for allowance. Therefore, Applicant requests that the objections be withdrawn, and that the claims be allowed and passed to issue. If any impediment to the allowance of these claims remains after entry of this Amendment, the Examiner is strongly encouraged to call Vaughn North at (801) 566-6633 so that such matters may be resolved as expeditiously as possible.

The Commissioner is hereby authorized to charge any additional fee or to credit any overpayment in connection with this Amendment to Deposit Account No. 08-2025.

DATED this 4th day of April, 2005.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Vaughn W. North", is written over a horizontal line.

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